

# EXHIBIT 70



March 20, 2020

On March 10, 2020, the Governor of the State of Colorado issued an Executive Order declaring a state of disaster emergency due to the risk of spread of the novel coronavirus, now designated COVID-19.

On March 12, 2020, the Mayor of the City and County of Denver declared a state of local disaster emergency pursuant to C.R.S. § 24-33.5-701, *et seq.*, due to the risk of spread of COVID-19, which, on March 16, 2020, was extended by the City Council for the City and County of Denver through May 11, 2020 due to the risk of spread of COVID-19.

On March 13, 2020, the Executive Director of the Denver Department of Public Health & Environment ("DDPHE"), pursuant to section 24-16 of the Denver Revised Municipal Code, restricted access to certain facilities to minimize the spread of COVID-19 ("March 13 DDPHE Order").

On March 15, 2020, the Center for Disease Control ("CDC") recommended that all large events and mass gatherings of 50 persons or more be canceled or postponed for eight weeks to minimize the spread of COVID-19.

On March 16, 2020, the Executive Director of the Denver Department of Public Health & Environment, pursuant to section 24-16 of the Denver Revised Municipal Code, restricted additional activities, including but limited to, onsite consumption of food and beverage in restaurants and banned mass gatherings of 50 persons or more in consistency with the March 15, 2020 CDC recommendations ("March 16 DDPHE Order").

On March 16, 2020, the Executive Director of the Colorado Department of Public Health and Environment, pursuant to Colorado Revised Statute §§ 25-1.5-101(1)(a) and 25-1.5-102(1)(a)(I), closed bars, restaurants, theaters, gymnasiums and casinos by Notice of Public Health Order 20-22, which order was amended on March 17, March 18, and March 19, 2020 ("March 16 CDPHE Order").

On March 18, 2020, the Governor of the State of Colorado issued an Executive Order ordering the suspension of normal in-person instruction at all public and private elementary and secondary schools in the State of Colorado due to the presence of COVID-19 ("March 18 Governor EO").

On March 18, 2020, the Executive Director of the Colorado Department of Public Health and Environment, pursuant to Colorado Revised Statute §§ 25-1.5-101(1)(a) and 25-1.5-102(1)(a)(I), issued an order implementing social distancing measures, which limits gatherings of individuals

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to no more than (10) people to slow the spread of the COVID-19 virus (“March 18 CDPHE Order”).

On March 19, 2020, the Executive Director of the Colorado Department of Public Health and Environment, pursuant to Colorado Revised Statute §§ 25-1.5-101(1)(a) and 25-1.5-102(1)(a)(I), amended the March 16 CDPHE Order to also include nonessential personal service facilities and racetrack and off-track pari-mutuel wagering facilities, exempt institutions of higher education in the services of meals, clarify that hotel dining services are not exempted other than in room dining services, add a definition of gymnasium, and extend the March 16 CDPHE Order through April 30, 2020 (“March 19 CDPHE Order”).

The Executive Director of DDPHE, pursuant to section 24-16 of the Denver Revised Municipal Code, hereby amends the March 16 DDPHE Order to correlate with the March 18 CDPHE Order and March 19 CDPHE Order by increasing the scope of businesses that are closed under the March 16 DDPHE Order and to require that all events and gatherings of more than ten (10) persons shall be canceled or postponed until May 11, 2020.

Specifically, the following places of public accommodation are closed to ingress, egress, use, and occupancy by members of the public:

1. Restaurants, food courts, cafes, coffeehouses, and other similar places of public accommodation offering food or beverage for on-premises consumption;
2. Bars, taverns, brew pubs, breweries, microbreweries, distillery pubs, wineries, tasting rooms, special licensees, clubs, and other places of public accommodation offering alcoholic beverages for on-premises consumption;
3. Cigar bars;
4. Gymnasiums;
5. Movie and performance theatres, opera houses, concert halls, and music halls; and
6. Non-essential personal service facilities.

“Non-essential personal services” means services and products that are not necessary to maintain an individual’s health or safety, or the sanitation or essential operation of a business or residence. “Non-essential personal services” include, but are not limited to, hair or nail salons, spas, or tattoo or massage parlors.

Places of public accommodation subject to this section are encouraged to offer food and beverage using delivery service, window service, walk-up service, drive-through service, or drive-up service, and to use precautions in doing so to mitigate the potential transmission of COVID-19, including social distancing; however, no consumption of food or beverages is permitted onsite. In offering food or beverage, a place of public accommodation subject to this section may permit up to five members of the public at one time in the place of public accommodation for the purpose of picking up their food or beverage orders, so long as those individuals are at least six feet apart from one another while on premises.

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The restrictions imposed by this order do not apply to any of the following:

1. Places of public accommodation that offer food and beverage not for on-premises consumption, including grocery stores, markets, convenience stores, pharmacies, drug stores, and food pantries, other than those portions of the place of public accommodation subject to the requirements above;
2. Room service in hotels;
3. Health care facilities, residential care facilities, congregate care facilities, and juvenile justice facilities;
4. Crisis shelters or similar institutions;
5. Airport concessionaires;
6. Institutions of higher education offering dining hall services located in or adjacent to campus dormitories that are accessed through student, staff, faculty, or campus associated identification, as well as grab and go food services within these institutions, while exercising social distancing measures of at least six feet between individuals;
7. Fitness centers and nonessential personal services included in residential facilities, such as hotels, apartment or condominium complexes or similar housing arrangements, that are limited to use only by hotel guests or residents of the housing who are following social distancing requirements of at least 6 feet between individuals, and the hotel or property managers are performing frequent environmental cleaning; and
8. Any emergency facilities necessary for the response to these events.

Additionally, the Executive Director of DDPHE hereby orders that all events and gatherings, previously defined as “MASS GATHERINGS” in the March 16 DDPHE Order, of more than 10 persons shall be cancelled or postponed until May 11, 2020 to minimize the spread of COVID-19, consistent with CDC recommendations.

**The intent of this Order is to clarify that the March 16 DDPHE Order is hereby expanded to include the above restrictions to correlate with the March 18 CDPHE Order and March 19 CDPHE Order. Again, gatherings in the City and County of Denver are limited to no more than ten (10) people. The City and County of Denver will be enhancing enforcement efforts to ensure that individuals in the City and County of Denver are complying with this Order.**

**New information indicates that asymptomatic spread is more prevalent than previously known. There is broad consensus among regional public health professionals that, as long as essential services and critical infrastructure can be supported, every effort should be made, by all persons, to conduct only those essential activities necessary to promote health and well-being, such as getting groceries, obtaining medical supplies or medication, and/or engaging in outdoor activities like walking, hiking or running, so long as social distancing practices are strictly followed.**

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Additionally, the Executive Director of DDPHE strongly encourages that all people in the City and County of Denver stay home and businesses implement work from home policies and delivery of goods to the greatest extent possible.

Questions regarding this order may be directed to Denver 311. Within Denver, dial 3-1-1 and dial 720-913-1311 outside of Denver.

Issued by:



Robert M. McDonald  
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Executive Director, Denver Dept of Public Health & Environment

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